

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 2/25/2025
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MICHAEL HENRY,

Plaintiff,

-against-

LISA SIMMONS, HASAN WILLIAMS,  
ROMMEL PARRIS, and VINAYAK SHASTRI,

Defendant.

24-CV-2380 (MKV)

**ORDER OF SERVICE**

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff, who currently is incarcerated at Woodbourne Correctional Facility, brings this action, *pro se*, under 42 U.S.C. § 1983, alleging that Defendant violated his federal constitutional rights when he was detained in a facility on Rikers Island. [ECF No. 15]. The Court also construes the complaint as asserting claims under the Americans with Disabilities Act of 1990. By Order dated May 29, 2024, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees.<sup>1</sup>

On August 5, 2024, the Court ordered the Department of Corrections to provide the full names and badge numbers of Correction Officer Simmons and John Doe Officers whom Plaintiff seeks to sue here and the address where the Defendants may be served. [ECF No. 4]. The Court further ordered that "[i]f a Doe defendant is a current or former DOC employee or official, the Law Department should note in the response to this Order that an electronic request for a waiver of service can be made under the e-service agreement for cases involving DOC defendants, rather

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<sup>1</sup> Prisoners are not exempt from paying the full filing fee even when they have been granted permission to proceed IFP. See 28 U.S.C. § 1915(b)(1). Plaintiff submitted the complaint without a prisoner authorization. By order dated March 29, 2024, Chief Judge Laura Taylor Swain directed Plaintiff to submit a prisoner authorization. The Court received Plaintiff's prisoner authorization on May 22, 2024.

than by personal service at a DOC facility. If a Doe defendant is not a current or former DOC employee or official, but otherwise works or worked at a DOC facility, the Law Department must provide a residential address where the individual may be served.” [ECF No. 4]. The Court further ordered Plaintiff to file an Amended Complaint within thirty days of receiving the information on Correction Officer Simmons and the John Doe Officers. [ECF No. 4].

On October 21, 2024, the Department of Corrections filed a letter providing the full names, addresses, and badge numbers of Correction Officer Simmons and the John Doe Officers. [ECF No. 13]. However, the Department of Corrections did not specify whether an electronic request for a waiver of service can be made under the e-service agreement for cases involving DOC defendants. Plaintiff did not file an Amended Complaint within thirty days of the letter from the Department of Corrections. Accordingly, the Court ordered Plaintiff to file an Amended Complaint on or before December 26, 2024. [ECF No. 14]. Plaintiff filed an Amended Complaint on December 23, 2025, removing the Department of Corrections as a Defendant and adding Lisa Simmons, Hasan Williams, Rommel Parris, and Vinayak Shastri as defendants [ECF No. 15]. The new defendants must now be served.

Accordingly, the Clerk of Court is directed to electronically notify the New York City Department of Correction and the New York City Law Department of this Order. The City of New York is directed to notify the Court on or before March 11, 2025 whether an electronic request for a waiver of service can be made under the e-service agreement for cases involving DOC defendants and whether Defendants waive service as current and former DOC Correction officers.

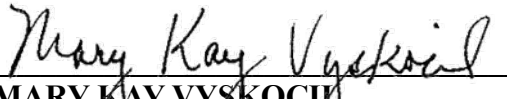
The Clerk of Court is respectfully requested to mail a copy of this Order and the Amended Complaint to the New York City Law Department at: 100 Church Street, New York, NY 10007.

The Clerk of Court is also directed to mail a copy of this Order to Plaintiff.

Local Civil Rule 33.2 applies to this action.

**SO ORDERED.**

**Date: February 25, 2025**  
**New York, NY**

  
**MARY KAY VYSKOCIL**  
**United States District Judge**